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Attorneys for Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

KABO TOOL COMPANY; CHIH-CHING
HSIEN,

Plaintiffs,

vs.

PORAUTO INDUSTRIAL CO., LTD;
ACCUAIRE CORP.; CHIH-HSIANG HSU,

Defendants.

Case No.: 2:12-cv-01859-LDG-NJK

STIPULATION AND ORDER TO STAY

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STIPULATION AND ORDER TO STAY

Defendants, Porauto Industrial Co., Ltd., Accuaire Corp.; Chih-Hsiang Hsu (each a “Defendant” and collectively, “Defendants”), by and through their attorneys of record, and Plaintiffs, Kabo Tool Company and Chih-Ching Hsien (collectively, “Plaintiffs”), by and through their attorneys of record, hereby agree as follows:

1. On November, 17, 2011, JS Products, Inc. (“JSP”) filed a Complaint for Declaratory Judgment for Patent Invalidity and Non-Infringement against Kabo Tool Company (“Kabo”) in the United States District Court, District of Nevada, Case No. 2:11-cv-01856-RCJ-GWF entitled *JS Products, Inc. v. Kabo Tool Company, et al.* (the “JSP Action”).

2. In response to JSP’s Complaint, Kabo filed its Answer and Counterclaim for Patent Infringement, alleging that JSP infringed the U.S. Patent No. 7,066,057 (the “’057 Patent”).

3. On October 30, 2012, Plaintiffs filed suit against Defendants in the instant case for Patent Infringement, alleging that Defendants infringed the ‘057 Patent.

4. On July 29, 2014 the court in the JSP Action issued an order deeming the ‘057 Patent invalid (the “JSP Order”).

5. Kabo intends to appeal, among other things, the July 29, 2014 order invalidating the ‘057 Patent in the JSP Action to the United States Court of Appeals for the Federal Circuit.

Given the JSP Order and Kabo’s intention to appeal in the JSP Action, the parties stipulate as follows:

1. That this matter be stayed until 30 days after the Federal Circuit issues an appellate order ruling on Kabo’s appeal in the JSP Action.

2. The stay shall include all current deadlines, including all discovery deadlines.

3. Thirty (30) days after the Federal Circuit issues an appellate order ruling on Kabo’s appeal in the JSP Action, the parties shall reconvene pursuant to LR-26-1 to prepare an updated Discovery Plan and Scheduling Order for the Court’s approval.

4. The Parties agree that this stipulation and agreement to stay proceedings in this matter shall have no effect on Defendants’ right to pursue additional appellate relief in

connection with the Federal Circuit's denial of Defendants' Petition for Writ of Mandamus in Case No. 2014-130.

Dated this 18th day of August, 2014.

Dated this 18th day of August, 2014.

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**MCDONALD CARANO & WILSON,
LLP**

By: /s/ Adam C. Anderson

By: /s/ Jason N. Haycock

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ORDER

IT IS SO ORDERED.

Dated this 20 day of August, 2014.



U.S. DISTRICT COURT JUDGE
LLOYD D. GEORGE

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